

REMARKS

Claim Status

Claims 1-10 are pending in the Application. The Examiner has rejected claims 1-10. Claims 1-10 have been amended to place them in better form for consideration. Applicant believes that no new matter has been presented in the amended claims.

Claim Objections – 37 C.F.R. 1.75(c)

The Examiner objected to claims 4-7 and 10 under 37 C.F.R. 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. Accordingly, the Applicant has amended claims 4-7 and 10 to overcome the Examiner's objection. Therefore, Applicant respectfully requests that claims 4-7 and 10 be reconsidered in light of these amendments.

Claim Rejections – 35 U.S.C. §102

The Examiner rejected claims 1-3, 8 and 9 under 35 U.S.C. §102 as being anticipated by either UK'511 (United Kingdom Patent No. 2,189,511) or EPO'115 (European Patent Office Patent No. 0 219 115). Specifically, the Examiner indicated that "UK'511 and EPO'115 are each cited disclosing a torque transmitter (4 in UK'511 and 45 in EPO'115) with the same being embedded into the rear wall of the drum and produced as a single piece". See 01/17/2007 Office Action, page 2 paragraph 3. The Applicant respectfully disagrees with Examiner's position.

To anticipate a claim, a single source must contain all of the elements of the claim. See Hybridtech Inc. v. Monoclonal Antibodies, 802 F.2d 1367, 1379, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1988). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. See Structural Rubber Prod. Co. v. Park Rubber Co., 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). The reference must, however, "sufficiently describe the claimed invention to have placed the public in possession of it." Minnesota Mining & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc., 976 F.2d 1559, 1572, 24 U.S.P.Q.2d 1321, 1332 (Fed. Cir. 1992). First, Applicant kindly disagrees that EPO'115 anticipates the present invention

since it does not teach “a torque transmitter being embedded into the rear wall of the drum and produced as a single piece.” Specifically, the EP’115 states “Drum 10 is provided with a drive shaft,” but nowhere states that it is embedded into the rear wall and produced as a single piece. See EP’115 page 5, line 19. Further the EP’115 invention is directed at a method for producing a “tub (5)” not a “drum.” Therefore, EP’115 does not teach all of the elements in the present invention. Applicant thanks the Examiner for his efforts but believes that the Examiner may have misunderstood the claim and has therefore rewritten the claim for clarification.

Secondly, Applicant kindly disagrees that UK’511 anticipates the present invention since it does not teach “a torque transmitter being embedded into the rear wall of the drum and produced as a single piece.” Specifically, the UK’511 states that “base (2) consists of two complementary units (3,4) one inner one [3] and one outer one [4] both are which are moulded from plastics material and assembled together.” See UK’511, page 1, lines 69-72. Clearly, the element (4) cited in the office action can not be embedded into the rear wall and produced as a single piece if it is a separate piece and meant to be “assembled together.” Therefore, UK’511 does not teach all of the elements in the present invention.

Therefore, Applicant respectfully requests that the claims be reconsidered and that the Examiner withdraw the objections to claims 1-3, 8 and 9.

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Conclusion

Applicants believe they have addressed and responded to every point raised in the Examiner's present action. For the reasons stated above, Applicants respectfully request reconsideration of this application.

Respectfully submitted,

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